

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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WEALTHY INC. and DALE BUCZKOWSKI,
Plaintiffs,
v.

Case No. 2:21-cv-01173-JCM-EJY

SPENCER CORNELIA, CORNELIA MEDIA LLC,
and CORNELIA EDUCATION LLC,
Defendants.

ORDER

WEALTHY INC. and DALE BUCZKOWSKI,

Consolidated with
Case No. 2:22-cv-00740-JCM-EJY

Plaintiffs,

V.

JOHN MULVEHILL, JOHN ANTHONY
LIFESTYLE, LLC, and OPTIMIZED LIFESTYLE
LLC,

Defendants.

The parties' Stipulation and Proposed Order to Extend Filing Deadlines (ECF No. 154) is based on Defendants' misinterpretation of the Court's Order at ECF No. 143. A review of ECF No. 143 shows the Court dealt exclusively with a Motion to Seal. The Order was clear in what was required. The Order did not state, let alone suggest or infer, an extension of time was granted for responding to Plaintiffs' Motion for Leave to Amend Complaint (ECF No. 141) filed on February 13, 2023. The Order did not reset the clock for responding to Plaintiffs' Motion. Defendants' misreading of the Order is not supported by fact or law. Extensions of time must either be agreed upon or requested through motion practice. No request to extend time was filed here. Further, although the Court sympathizes with a family emergency that occurred on March 1, 2023, this does not explain the failure to file a responsive pleading that was due on February 27, 2023. A mistake of this nature is not generally a basis for relief; however, given Plaintiffs' agreement to excuse Defendants' error, the Court finds as follows.

1 IT IS HEREBY ORDERED that the Court's Order at ECF No. 151, granting Plaintiffs'
2 Motion for Leave to Amend, is VACATED.

3 IT IS FURTHER ORDERED that the Motion for Leave to Amend at ECF No. 141 shall be
4 redesignated as pending.

5 IT IS FURTHER ORDERED that Defendants shall have through and including March 20,
6 2023 to file their response to ECF No. 141. No additional time will be granted.

7 IT IS FURTHER ORDERED that Plaintiffs shall have through and including March 27, 2023
8 to file their reply.

9 IT IS FURTHER ORDERED that the Stipulation and Proposed Order to Extend Filing
10 Deadlines (ECF No. 154) is DENIED as moot.

11 Dated this 2nd day of March, 2023.

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13 Elayna J. Youchah
14 UNITED STATES MAGISTRATE JUDGE

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